

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

NOV 17 2014

DAVID J. MALAND, CLERK
BY
DEPUTY BA

MOBILE TELECOMMUNICATIONS
TECHNOLOGIES, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

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Case No. 2:13-cv-258-RSP

VERDICT FORM

In answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below. As used herein, "MTel" means Mobile Telecommunications Technologies, LLC. As used herein, "Apple" means Apple Inc.

We, the jury, unanimously agree to the answers to the following questions:

I. INFRINGEMENT

In answering Questions below, answer "Yes" or "No" for each listed asserted claim in the space provided.

Question No. 1: Do you find that MTel has proven by a preponderance of the evidence that Apple directly infringes any of the following asserted claims of the '946 Patent?

Claim 1: Yes ✓ No

Claim 8: Yes ✓ No

Question No. 2: Do you find that MTel has proven by a preponderance of the evidence that Apple directly infringes the following asserted claim of the '428 Patent?

Claim 8: Yes ✓ No

Question No. 3: Do you find that MTel has proven by a preponderance of the evidence that Apple directly infringes any of the following asserted claims of the '506 Patent?

Claim 8: Yes No ✓

Claim 10: Yes No ✓

Claim 19: Yes No ✓

Question No. 4A: Do you find that MTel has proven by a preponderance of the evidence that Apple directly infringes the following asserted claim of the '403 Patent?

Claim 1: Yes ✓ No

Question No. 4B: Do you find that MTel has proven by a preponderance of the evidence that Apple **indirectly** infringes the following asserted claim of the '**403 Patent**?

Claim 1: Yes ☒ No ☐

Question No. 5A: Do you find that MTel has proven by a preponderance of the evidence that Apple **directly** infringes the following asserted claim of the '**891 Patent**?

Claim 1: Yes ☒ No ☐

Question No. 5B: Do you find that MTel has proven by a preponderance of the evidence that Apple **indirectly** infringes the following asserted claim of the '**891 Patent**?

Claim 1: Yes ☒ No ☐

Question No. 6A: Do you find that MTel has proven by a preponderance of the evidence that Apple **directly** infringes the following asserted claim of the '**210 Patent**?

Claim 10: Yes ☒ No ☐

Question No. 6B: Do you find that MTel has proven by a preponderance of the evidence that Apple **indirectly** infringes the following asserted claim of the '**210 Patent**?

Claim 10: Yes ☒ No ☐

NOTE: YOU MUST ANSWER EACH QUESTION IN THE FOLLOWING SECTION II REGARDLESS OF YOUR ANSWERS TO THE QUESTIONS IN SECTION I:

II. VALIDITY

In answering the Questions below, answer "Yes" or "No" for each listed asserted claim in the space provided

Question No. 7: Do you find that Apple has proven by clear and convincing evidence that any of the following asserted claims of the '**946 Patent** are invalid by anticipation?

Claim 1: Yes _____ No ✓

Claim 8: Yes _____ No ✓

Question No. 8: Do you find that Apple has proven by clear and convincing evidence that the following asserted claim of the '**428 Patent** is invalid by anticipation?

Claim 8: Yes _____ No ✓

Question No. 9: Do you find that Apple has proven by clear and convincing evidence that any of the following asserted claims of the '**506 Patent** are invalid by anticipation or obviousness?

Claim 8: Yes _____ No ✓

Claim 10: Yes _____ No ✓

Claim 19: Yes _____ No ✓

Question No. 10: Do you find that Apple has proven by clear and convincing evidence that the following asserted claim of the '403 Patent is invalid by anticipation?

Claim 1: Yes _____ No ☒

Question No. 11: Do you find that Apple has proven by clear and convincing evidence that the following asserted claim of the '891 Patent is invalid by anticipation?

Claim 1: Yes _____ No ☒

Question No. 12: Do you find that Apple has proven by clear and convincing evidence that the following asserted claim of the '210 Patent is invalid by anticipation?

Claim 10: Yes _____ No ☒

Question No. 13: Do you find that Apple has proven by clear and convincing evidence that the '210 Patent is invalid based on improper inventorship?

Yes _____ No ☒

NOTE: ANSWER THE FOLLOWING TWO QUESTIONS IN SECTION III AND IV BELOW ONLY IF YOU FOUND AT LEAST ONE CLAIM LISTED IN SECTION I DIRECTLY OR INDIRECTLY INFRINGED AND FOUND THAT CLAIM NOT INVALID IN SECTION II: OTHERWISE DO NOT ANSWER THESE QUESTIONS.

III. DAMAGES

Question No. 14: What sum of money, if paid now in cash, do you find is adequate to compensate MTel for the conduct you found to infringe?

Damages: \$ 23.575 million

IV. WILLFUL INFRINGEMENT

Question No. 15: Do you find that MTel has proven by clear and convincing evidence that Apple willfully infringed the following patents?

'946 patent: Yes _____ No ✓

'428 patent: Yes _____ No ✓

'506 patent: Yes _____ No ✓

'403 patent: Yes _____ No ✓

'891 patent: Yes _____ No ✓

'210 patent: Yes _____ No ✓

I certify that the foregoing answers each represent the unanimous decision of the trial jury.

Date: 11-17-2014